

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
JESENIA RAMIREZ,	:	
	:	
Plaintiff,	:	
	:	23-CV-5806 (VSB)
- against -	:	
	:	
COMMISSIONER OF SOCIAL SECURITY,	:	<b><u>ORDER</u></b>
	:	
Defendant.	:	
	:	
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Appearances:

Daniel Berger  
Law Office of Daniel Berger  
Bronx, New York  
*Counsel for Plaintiff*

Ariella Renee Zoltan  
Social Security Administration  
Office of the General Counsel, Office of Program Litigation  
Baltimore, Maryland  
*Counsel for Defendant*

VERNON S. BRODERICK, United States District Judge:

On July 6, 2023, Plaintiff Jesenia Ramirez filed this action seeking judicial review of the final decision of Defendant Commissioner of Social Security (the “Commissioner”) denying her application for Disability Insurance Benefits. After I referred this case to Magistrate Judge Barbara Moses, (Doc. 7), Ramirez filed a motion for judgment on the pleadings, (Doc. 13), and a memorandum of law in support, (Doc. 14). On February 6, 2024, the Commissioner filed its brief in opposition, (Doc. 15), and on March 1, 2024, Ramirez filed her reply, (Doc. 16). Now before the Court is the thorough and well-reasoned Report & Recommendation of Judge Moses, dated May 31, 2024, recommending that this action be remanded to the Commissioner for further

proceedings. (Doc. 17.) Neither party has filed any objections to the Report & Recommendation.

A district court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). “To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record.” *Nelson v. Smith*, 618 F. Supp. 1186, 1189 (S.D.N.Y. 1985).

Although the Report & Recommendation explicitly provided that “[t]he parties shall have 14 days from this date to file written objections to this Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b)” and warned that “[f]ailure to file timely objections will result in a waiver of such objections and will preclude appellate review,” (Doc. 17 at 36), neither party has filed any objections or requested additional time to do so. Accordingly, I have reviewed Judge Moses’s Report & Recommendation for clear error and, after careful review, find none. I therefore ADOPT the Report & Recommendation in its entirety.

The Clerk of Court is respectfully directed to terminate any open motions, enter judgment in accordance with this Order, and close this case.

SO ORDERED.

Dated: June 18, 2024  
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. The first letter "V" is large and prominent. The signature is positioned above the printed name and title.

Vernon S. Broderick  
United States District Judge